



THE JHARKHAND GAZETTE EXTRAORDINARY PUBLISHED BY AUTHORITY

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Ranchi, Tuesday, 17th October, 2017

Department of Forest, Environment and Climate Change

NOTIFICATION

15 September, 2017

Notification No.- 3/PrayaPradu-52/2007/3900-- Whereas, plastic carry bags cause short-term and long-term environmental damage and health hazard;

And whereas, Article 48-A of the Constitution of India, inter alia, envisages that the State shall endeavour to protect and improve the environment;

And whereas, the Government of Jharkhand is of the opinion that, the use of plastic carry bags is causing grave and irreparable injury to the environment and the health of human beings as well as animals;

And whereas, it is observed that plastic carry bags are also causing blockage of gutters, sewers and drains resulting in serious environmental problems;

And whereas, with a view to prevent the occurrence of such problems, the State Government has decided to declare the entire area of the State of Jharkhand as the "**Plastic Carry Bags Free Area**";

Now therefore, in exercise of the powers conferred under Section 5 of the Environment (Protection) Act, 1986 (No. 29 of 1986) as delegated under Section 23 of the said Act by the Central Government vide Notification No. S.O. 352 (E) New Delhi, dated 18.04.2001, the State Government, by this notification, issues the following directions for the complete Ban of manufacture, import, storage, transportation, sale and usage of Plastic Carry bags in all parts of the state; namely,

1. No industry shall manufacture plastic carry bags and no person including a shopkeeper, vendor, wholesaler or retailer, trader, hawker or rehriwala etc., shall use

plastic carry bags for supply of goods and no person shall manufacture, store, import, sell or transport plastic carry bags in the State of Jharkhand with effect from the date of final publication of this Notification.

Provided that plastic carry bags manufactured exclusively for export purposes against any export order shall be exempted in terms of Rule 2(2) of the Plastic Waste Management Rules, 2016 from the application of this notification.

Explanation :- For the purpose of this Notification the words 'plastic' and 'carry bags' shall have the same meaning as defined under the Plastic Waste Management Rules, 2016. Containers used for packaging food material, milk and milk products and raising plants in nurseries shall not be deemed as carry bags.

2. Jharkhand State Pollution Control Board shall be responsible for enforcement in respect of the functions relevant to this notification and specified in clause (1) of Rule 12 of the Plastic Waste Management Rules, 2016, whereas the Urban Local Bodies and Gram Panchayats shall be responsible for enforcement under their jurisdictions in respect of the functions relevant to this notification and specified in clause (2) and (3) respectively of Rule 12 of the said Rules.

3. Officers as mentioned in Government of India's Notification No. S.O. 394 (E) dated 16 April, 1987 issued under Section 19 of the Environment (Protection) Act, 1986 shall be authorized to file complaints in the jurisdictional court of law against violation of directions contained in this notification.

4. From the date of final publication of this Notification, Notification No. 3/Parya.Pradush.-62/2007-3691 Van Parya., dated 11 September, 2013 shall be superseded except in respect of things done or omitted to be done before such supersession, to the extent that complaint cases filed under previous the Notification are pending.

By order of the Governor of Jharkhand,

Sunil Kumar,
Deputy Secretary to the Government.
